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January 24, 2007

**NEW MEXICO BULLETIN NO. 180-7-3**

**SUBJECT:** CPA- WETLAND CONSERVATION COMPLIANCE  
(GUIDANCE ON REVISED FORM AD-1026)

**TO:** All Employees

**Purpose.** To provide clarity on actions required for item 10C and 13 of the Form AD-1026.

**Expiration Date.** September 30, 2007

**Background:** When producers check “yes” in the item 10C box of the AD-1026, they are certifying that they intend to perform maintenance on a drainage system that existed prior to December 23, 1985. Box 13 instructs FSA to refer to the NRCS a copy of the AD-1026 when items 5, 9, 10A, 10B, or 10C are marked “yes”.

A NRCS Scope and Effect determination is no longer required for normal maintenance of existing drainage systems. Therefore, a Form CPA 026 will not be issued by NRCS in response to receiving an AD-1026 on which 10C is marked “yes”. However, NRCS will maintain a file of the AD-1026 as a record of maintenance that has been performed.

**Explanation.** County FSA offices shall provide NRCS with an “informational copy” of the AD-1026 when the only reason for the referral is a “yes” designation for item 10C. Since a CPA-026 will not be provided to FSA in these cases, the county office shall not indicate a referral to NRCS is “pending” in the producer’s subsidiary file.

**Contact.** If further information is needed, contact State Wildlife Biologist Marcus Miller at 761-4432.

DENNIS L. ALEXANDER  
State Conservationist